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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David D. Koester et al.

Appeal No. \_\_\_\_\_

Serial No.: 09/751,669

Filed : December 29, 2000

Group Art Unit: 2652

For : MACHINING ACTUATOR PERIPHERY  
TO REDUCE RESONANCE VARIATION

Examiner: Tianjie  
Chen

Docket No.: S01.12-0697/STL 9565

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

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Commissioner for Patents  
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I HEREBY CERTIFY THAT THIS PAPER IS  
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THIS

16 DAY OF March, 2006

David D. Brush  
PATENT ATTORNEY

Sir:

This is in response to the Notice dated March 6, 2006 indicating that the Appeal Brief filed January 19, 2006 did not contain a copy of the appealed claims as an Appendix. Apparently, "Appendix 1" containing the appealed claims was inadvertently not mailed to the PTO with the other exhibits to the Brief. This is the same Appendix that was submitted in the three prior Appeal Briefs, except that the Appendix is now limited to the appealed claims only.

Accordingly, enclosed is a copy of Appendix 1 for inclusion with the Brief.

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## APPENDIX 1

13. (Previously Presented) A disc drive comprising an actuator with a machined external peripheral surface extending along an entire periphery of the actuator and comprising a desired profile dimension entirely defined by the machined external peripheral surface.

17. (Previously Presented) The disc drive of claim 13 wherein the machined external peripheral surface of the actuator has a tolerance of less than 0.010 inches relative to the desired profile dimension.

18. (Previously Presented) The disc drive of claim 13 wherein the machined external peripheral surface of the actuator has a tolerance of 0.005 inches or less relative to the desired profile dimension.